

## **MINUTES**

### **MONTANA SENATE 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** By **CHAIRMAN DON HARGROVE**, on January 24, 2001 at 10:00 A.M., in Room 335 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Don Hargrove, Chairman (R)  
Sen. John C. Bohlinger, Vice Chairman (R)  
Sen. Edward Butcher (R)  
Sen. Pete Ekegren (R)  
Sen. Jim Elliott (D)  
Sen. Eve Franklin (D)  
Sen. Ken Toole (D)

**Members Excused:** Sen. Fred Thomas (R)

**Members Absent:** None.

**Staff Present:** Lynette Brown, Committee Secretary  
David Niss, Legislative Branch

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: SR 4, SB 256, 1/17/2001  
Executive Action:

#### **HEARING ON SR 4**

**Sponsor:** SEN. DON HARGROVE, SD 16, Belgrade

**Proponents:** Barry Stang, Montana Motor Carriers Association  
Patrick Hoffornan, Montana Logging Association  
Ed Maronick, Montana Contractor Association

**Opponents:** None

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**David Galt, Director of Transportation**, said because of his past experience, he understands what the public thinks and feels. His past experience includes working with the Department of Transportation as a surveyors aide, weigh station work, college education, law enforcement, portable weigh station work, administrator of the motor carriers' services division, member of the executive team in the Department of Transportation, and Executive Senior Management training. Even though he doesn't have post-graduate degrees, he said he had a mix of academic skills and experience that allow him to understand the issues dealt with in the Department of Transportation; he understands how the department works, where the money comes from and how the money is spent. The reasons he wanted the job are (1) he knows what the issues mean to the people in the public and (2) he wants to provide a transportation system all people could rely on. **Mr. Galt** stated he wants to be a part of the "economic development in Montana". **Mr. Galt** listed his goals as: (1) the delivery of the program, (2) to fix the pay plan within the Department of Transportation, (3) the public involvement/ privatization, and (4) strategic planning and accountability among employees.

**Proponents' Testimony:**

**Barry Stang, Motor Carriers Association and as himself**, said **David Galt** has been an advocate of the trucking industry. He has also been very good about protecting the roads in Montana. **David Galt** is a man of integrity and always listened.

**Patrick Heffernan, Montana Logging Association**, testified that **David Galt** has been very helpful to the members in the Logging Association; both in his regulatory role as well as helping them to deal with safety issues in a proactive manner. He has been instrumental in their professional log-poler educational programs. **Mr. Heffernan** expressed the Logging Association firmly supports **David Galt**.

**Ed Maronik, Montana Contractor's Association**, stated **David Galt** is a man of integrity and honor. Most importantly, **David Galt** listens.

**Opponents: None**

**Questions from Committee Members and Responses:**

**SEN. EVE FRANKLIN** asked **David Galt** what strategic planning has been done in the department for multi-motor transportation? **Mr. Galt** responded that air service is a critical component to Montana, both commercial air service and private air

transportation. He stated his department is a big supporter of 1) Federal programs with the department 2) striving to work with Montana's delegation to assure Montana's share is as much as possible, 3) they support the aeronautics division within the department, 4) work to strive for and develop reliable air transportation, and 5) issues in the market dealing with mergers with the large commercial airlines. The department works with the smaller airports as well as the larger airports. **Mr. Galt** explained how they work closely with the trucking industry and also the rail industry. Water transportation involvement includes attempting to fix up and maintain the three last remaining ferries on the Missouri River; they want to maintain the historical significance of these.

**SEN. FRANKLIN** asked what his approach would be in community development in transportation planning? **Mr. Galt** shared that the needs of the state are great and the needs in individual areas differ which result in a lot of conflict. Actually getting out to assess the needs are important to him. Having input from the local citizens is important, as well as the task of finding a reasonable compromise with a community. **SEN. FRANKLIN** raised the question of environmental issues. **David Galt** responded he loved this state and realizes Montana is a beautiful state. The department needs to be cognizant of that in their jobs. He agrees the department needs to follow the laws in the communities to get their environmental permits. That is a part of the department's goals. He expressed sensitivity to protecting people's livelihood.

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**SEN. JOHN BOHLINGER** expressed to **Mr. Galt** his concern for highway safety. **SEN. BOHLINGER** inquired of **Mr. Galt's** position on this issue. **Mr. Galt** related he personally thinks the highway safety issues (driving with headlights on, wearing seat belts) are a good idea. The Department of Transportation would provide many kinds of information, but the legislators are the people who will need to decide what they want to become law.

**SEN. JIM ELLIOTT** asked if it is possible to include the public in a project before it is too difficult to turn things around? **David Galt** responded that yes, that is important. The problems that surface at that time, though, consist of everyone wanting to know exactly what effect it would have on their own land? There is a fine line there. When the department has not decided for sure where exactly they will put the road, they are unable to answer all the questions. He also expressed a concern about the work load associated with the staff having to attend so many public hearings because they take a lot of evening time.

**SEN. ED BUTCHER** asked if we need legislation for train safety regulations? **David Galt** expressed that a set of criteria would first need to be developed of when to use cross bars or when to use cross bucks. This was an issue he would be interested in looking into if people are interested in it.

**SEN. KEN TOOLE** inquired if changing Highway Two from a two-lane highway into a four-lane highway would be a good idea? **Mr. Galt** answered that it would be a great idea, but the department does not have adequate funds to do that without federal funding.

**SEN. TOOLE** questioned community growth or sprawl and wondered about the department's role in this issue? **Mr. Galt** related this issue to the public involvement issue. He supports listening to the local people and also abiding by the decisions made by the county comprehensive planning committees.

**SEN. PETE EKEGREN** related **David Galt** is well suited for this position because of his knowledge and experience. He also shared that **Mr. Galt** shows concern and character.

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**SEN. DON HARGROVE** asked how the department would deal with the budget internally? **Mr. Galt** responded that the budget is his number one priority. The Department of Transportation is allowed to move money between one biennium and the next and that flexibility is very important to the department to get the projects accomplished. The department has many standards they are required to follow based on different kinds of funds they get. The funds come from many different categories such as interstate money, primary secondary money, urban money, transportation enhancement money, air quality money, highway planning money to name some of them. They use this money in the appropriate projects to pull the transportation program together. The department zero bases as required.

**SEN. HARGROVE** wondered how **Mr. Galt** would approach his relationship to legislators outside of the session? He responded his relationship would hopefully be the same as the past 12 years. He hopes to be pro-active enough so the number of calls will diminish.

#### EXECUTIVE ACTION ON SR 3

**Motion/Vote:** **SEN. BOHLINGER** moved that **SR 3 DO PASS**. Motion carried unanimously.

**HEARING on SB 256**

**Sponsor:** SEN. DON HARGROVE, SD 16, Belgrade

**Proponents:** Ed Hanson, Selective Service  
Arlene Hannawalt, Montana Guaranteed Student Loan  
Program  
Chris Christensen, himself  
Jim Barfknecht, himself  
Hal Manson, American Legion of Montana

**Opponents:** None

**Opening Statement by Sponsor:** SEN. DON HARGROVE, SD 16, said this bill deals with compliance with selective service as a condition for public employment. It deals with registering for the draft. There will be an amendment for this bill to remove scholarship and financial aid applications from the bill.

**Proponents' Testimony:**

**Ed Hanson, Director Selective Service,** stated this bill is to bring Montana employment and financial aid in compliance with the federal requirements. **Mr. Hanson** said their interest is not in the penalty aspect, rather, their interest is in simply getting people to register for the draft. We need to develop a pool of applicants to draw from in case there is a draft in the future, he said.

**Arlene Hannamalt, Montana Guaranteed Student Loan Program,** asserted they strongly support this bill. Her program is in favor of the amendment that would remove the responsibility from the university from collecting this data because there is a process in place on the federal level that already does that when students apply for financial aid. Since schools in Montana already use the federal program for awarding dollars, they make sure the students have registered for the draft.

**Chris Christensen, private citizen,** stated he was a retired member of the Army National Guard. He warned if we don't take every opportunity to ensure those young men register with the selective service, the penalty is too high. Once they reach the age of 26, they will forfeit; the penalty will be that they can never get federal loans, they can't get housing loans, and can't receive federal employment. The use of those programs is so prevalent and he doesn't want those young men to not have those programs available for them throughout their lives. He shared

when those kids don't register, it's not usually an act of defiance, but of neglect. There are many ways now for young men to register for the draft, including registering on-line on their computers.

**Jim Barfknecht, retired National Guardsman**, related this bill is a continuation of the federal requirements. This bill would provide a check and balances program for registering for the draft. Registering is also an aspect of responsibility. He shared the state would actually be doing these young men a favor by passing this bill.

**Hal Manson, American Legion of Montana**, told the committee that it is necessary to know where and who the young people are. The American Legion was in strong support of this bill.

#### **Questions from Committee Members and Responses:**

**SEN. JIM ELLIOTT** asked **Ed Hanson** asked who the people were that are not required to register for the draft? **Mr. Hanson** replied that right now, the people who do not have to register are people who are incarcerated, but once they are released, they have to register within 30 days. **SEN. ELLIOTT** questioned how this bill would affect religious organization such as Jehovah Witnesses? **Mr. Hanson** answered that by federal law, they are still required to register. At the time they would receive a draft notice, they could then present to the local board their reasons for wanting to be exempted, to be a conscientious objector. Being a conscientious objector is protected under federal law. The local boards hear those cases and make those decisions. **SEN. ELLIOTT** asked if females are still exempt? **Mr. Hanson** responded they are exempt; they do not have to apply for the selective service.

**SEN. FRANKLIN** asked **SEN. HARGROVE** if the only way for women to be required to register for the draft was by federal act? He responded that was correct.

#### **Closing by Sponsor:**

**SEN. DON HARGROVE** closed SB 256. This bill is an encouragement to register for the draft which is in the national interest as well.

**ADJOURNMENT**

Adjournment: 11:25 A.M.

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SEN. DON HARGROVE, Chairman

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LYNETTE BROWN, Secretary

DH/LB

**EXHIBIT (sts19aad)**